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#21

In re Application of
Ricardo Dalla-Favera
Serial No.: 09/585,023
Filed: June 1, 2000
Attorney Docket No.: 50995-B

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: PETITION DECISION
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This is in response to the petition under 37 CFR 1.181, filed October 31, 2003, for withdrawal of abandonment of the above identified application based on filing of a timely reply.

A review of the file history shows that the examiner mailed a Final Office action to applicant on November 19, 2002, setting a three month shortened statutory period for reply. Applicants replied with an amendment on February 24, 2003. The amendment did not place the application in condition for allowance and an Advisory action was mailed to applicant on March 13, 2003. A Notice of Abandonment was mailed to applicant on August 29, 2003, when no further reply was filed. Applicant states that a reply in the form of an RCE was filed on May 19, 2003, accompanied by a three month extension of time request and fee and the RCE filing fee. The reply has now been located and placed in the file. In view of the timely reply the Notice of Abandonment was mailed in error and is withdrawn and the application is restored to pending status with the mailing of this decision

The petition is **GRANTED**.

The application will be forwarded for entry of the RCE papers and then to the examiner for further action.

Should there be any questions about this decision please contact William R. Dixon, Jr., by letter addressed to Director, TC 1600, at the address listed above, or by telephone at 703-308-3824 or by facsimile sent to the general Office facsimile number.


John Doll

Director, Technology Center 1600